

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

JUSTIN MURPHY, GREGG LIVERMAN,  
JEFFREY BUSH,

ORDER TO PRODUCE  
16 CV 519 (MKB) (PK)

Plaintiffs,

-against-

CITY OF NEW YORK, et al.,

Defendants.

**United States Magistrate Judge Peggy Kuo:**

Gregg Liverman, who is an inmate at Fishkill Correctional Facility, is a Party to the above-captioned action. On October 21 or October 24, 2016 (whichever date the Facility and the Parties find mutually suitable), beginning at 10:00 AM, Defendants' Counsel in this case, Joshua Friedman, will depose Mr. Liverman pursuant to the Federal Rules of Civil Procedure ("FRCP"). The Court orders the Superintendent of Fishkill Correctional Facility to coordinate with Plaintiff's Counsel Ryan Lozar and/or Defendants' Counsel Joshua Friedman to facilitate Mr. Liverman's videoconference appearance for that deposition. Mr. Lozar and/or Mr. Friedman will coordinate with the facility well in advance of October 21, 2016, to make the arrangements.

Because FRCP 30 provides Mr. Friedman with seven hours to depose Mr. Liverman, the Court orders that the Superintendent make Mr. Liverman available for seven hours on the date of the deposition. The Parties will begin promptly at 10:00 AM so that there is enough time. Those seven hours must exclude time that the Parties go

off the record during the deposition for reasonable breaks and/or conference with the Court.

Finally, the Court orders the Superintendent to allow Mr. Lozar a privileged telephone call for up to one hour with Mr. Liverman on some date prior to October 21, 2016. Mr. Lozar will coordinate with facility staff to organize that telephone call on a date that suits the facility's and Mr. Lozar's schedules.

SO ORDERED:

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HON. PEGGY KUO  
UNITED STATES MAGISTRATE JUDGE

Dated: \_\_\_\_\_, 2016